

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.14357 of 2015

Date of Decision:- 30.09.2015.

Pawan Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. R.S. Mamli, Advocate for the petitioner.

Mr. B.R. Mahajan, Advocate General, Haryana.
Ms. Kirti Singh, DAG, Haryana.
Mr. Anil Mehta, DAG, Haryana.

SURYA KANT, J. (ORAL)

1.) The petitioner seeks a writ of *mandamus* to reserve the seat of Sarpanch of Gram Panchayat of Village Labhkari for the Scheduled Caste category in the ensuing Gram Panchayat elections. The respondents have contested his claim and have filed the written statement explaining that the total population of Scheduled Caste is 14.20 %. They have further explained that the Gram Panchayats where the seat of Sarpanch was reserved for Scheduled Caste in the previous elections held in 2010 have been excluded and thereafter,

the principle of rotation guided by the maximum population of Scheduled Caste in a village, has been followed while reserving the post of Sarpanch for Scheduled Caste category. In this manner, the seat of Sarpanch has been reserved in village Chaprion where the percentage of Scheduled Caste population is 14.21% i.e. more than the Scheduled Caste population in petitioner's village.

2.) The above stated criteria followed by the respondents does satisfy the statutory mandate of Section 9 of the Haryana Panchayati Raj Act, 1994. In this view of the matter, no interference is called for.

3.) Dismissed.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

September 30, 2015.

sandeep sethi